

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Panchayat Raj and Rural Development Department - Allegation of misutilization of rice coupons to tune of 2 MTs under Food for Work Programme against Sri M.V.Setharamaiah, former Superintendent (Retd) Mandal Praja Parishad, Arakuvaly, Visakhapatnam Dist., - Further action dropped - Sanction of the pension and all retirement benefits – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (Vig.III) DEPARTMENT

G.O.RT.No. 1017:

Dated: 19-11-2014

Read the following:-

1. G.O.Rt.No.1699, PR&RD(Vig.IV) Department, Dt.19/11/2010
2. APAT O.A.No.637/2011 filed by Sr-i M.V.Seetharamayya, Retd., Suptd., Visakhapatnam District.
3. From Hon'ble APAT Judgment dt.28.10.2013 in OA. No.637/2011
4. CA No.1605 of 2014 in O.A.No.637/2011 filed by Sri M.V.Seetharamayya, Retd., Suptd., Visakhapatnam District.

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O R D E R:-

In the G.O.1st read above, Government in conclusion of disciplinary proceeding have imposed the penalty of withholding of pension and gratuity in full and permanently against Sri M.V. Seetharamayya, Superintendent, (Retd.), Mandal Praja Parishad, Arakuvaly, Visakhapatnam District under Rule 9 of A.P. Revised Pension Rules, 1980 for the charge held proved against him departmental enquiry.

2. Aggrieved by the said penalty, Sri M.V. Seetharamayya, Superintendent., (Retd.), Mandal Praja Parishad, Arakuvaly, Visakhapatnam Dist. has filed an O.A.No.637/2011 praying to set aside orders of the Government issued in G.O.1st read above and requesting to pay him his pension and all other retirement benefits.

3. In the reference 3rd read above, the Hon'ble APAT in its final orders dt.28.10.2013 in O.A. No 637/2011 r/w CA No 1162 of 2012 has passed the following order:

“----- therefore, in view of the above and in the facts and circumstances of the case and the reasons stated above and the citation given by the learned counsel for the applicant, the impugned G.O.Rt.No. 1699, PR &RD dated: 19.11.2010 is liable to be set aside and accordingly set aside and the respondents are directed to pay the applicant pension and all retirement benefits”.

4. In the reference 4th read above, the applicant has now filed CA No.1605 of 2014 in O.A.No.637/2011 in APAT for not implementing the Tribunal order dated 28.10.2013. The APAT in its order dated.28.10.2014 in the said CA has issued a notice to the government to show cause as to why the C.A. shall not be admitted for willful disobedience of the orders of the Tribunal dated 28.10.2013

[p.t.o]

5. After careful examination of the matter and keeping in view of the Judgment of the Hon'ble APAT dated 28.10.2013 and contempt petition No.1605 of 2014 in OA No.637/2001 filed by Sri M.V.Seetharamayya, Supdt., (Retd.), MPP., Arakuvaly, Visakhapatnam District, Government observed that the allegation pertains to the year 2002-2003 and the applicant was placed under suspension 25.12.2003 and the CPR has framed charges in 2008 after the retirement of the officer in 2006 and as the applicant was under suspension the disciplinary proceedings are deemed to have taken place w.e.f.25.12.2003 and consequent penalty on conclusion of disciplinary proceeding against him vide GO 1st cited are valid. However, the Government felt that the deemed date of initiation of disciplinary proceeding against the applicant may not legally stand if contested further in the matter as there was inordinate delay by the CPR in issuing charge memo against the applicant. Hence the Government decided to accept the orders of the APAT dated 28.10.2013 in OA No 637 of 2011 and to sanction the pension and all retirement benefits to Sri M.V. Seetharamayya, Supdt., (Retd.), MPP., Arakuvaly, Visakhapatnam Dist and also decided to initiate disciplinary action against the employees concerned responsible for the delay in processing the case against the Charged Officer.

6. Accordingly, the Government in cancellation of the orders issued in the G.O 1st read above, hereby drop further action against the applicant and ,hereby accord sanction to release his regular pension and gratuity and other pensionary benefits to Sri M.V. Seetharamayya, Supdt., (Retd.), O/o. MPP., Arakuvaly, Visakhapatnam Dist.

7. The Commissioner, Panchayat Raj and Rural Employment, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.S. JAWAHAR REDDY,
SECRETARY TO GOVERNMENT(PR)

To

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The Individual through Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

The District Collector, Visakhapatnam District.

The Chief Executive Officer, ZPP, Visakhapatnam

The Registrar, APAT, Hyderabad

Copy to:

The Accountants General , Andhra Pradesh, Hyderabad

The Hon'ble Andhra Pradesh, Administrative Tribunal

The Secretary, A.P. Vigilance Commission, Hyderabad.

The Law Department, A.P. Secretariat, Hyderabad.

The P.S. to Hon'ble Minister (PR&RWS)

The P.S. to Secretary (PR)

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//FORWARDED BY ORDER//

SECTION OFFICER.